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# COMMONWEALTH OF VIRGINIA



## OFFICE OF THE GOVERNOR

### NUMBER SEVENTY-TWO (2008)

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#### **AUTHORITY AND RESPONSIBILITY UNDER THE FEDERAL SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION ACT: A LEGACY FOR USERS (SAFETEA-LU) AND SUBSEQUENT FEDERAL REAUTHORIZATION LEGISLATION**

By virtue of the authority vested in me as Governor under Article V of the *Constitution of Virginia* and under the laws of the Commonwealth, including but not limited to Section 2.2-104 of the *Code of Virginia*, and subject always to my continuing and ultimate authority and responsibility to act in such matters, I hereby affirm and delegate to the Secretary of Transportation the powers and duties set out below as necessary for the Commonwealth to fulfill the requirements of the SAFETEA-LU and subsequent federal reauthorization legislation.

The following are the duties set out to the Secretary of Transportation:

1. Approve metropolitan transportation improvement programs.
2. Develop requests to the federal Secretary of Transportation to designate additional areas as transportation management areas.
3. Provide reasonable opportunities for comments on the State Transportation Improvement Program to citizens, affected public agencies, representatives of transportation agency employees, freight shippers, private providers of transportation, providers of freight transportation services, representatives of users of public transit, and other interested parties.
4. Establish and update agreements with local governments as needed including the designation and redesignation of metropolitan planning organizations and the determination of metropolitan area boundaries.

5. Be responsible for the coordination of transportation planning in multi-state metropolitan areas.
6. Designate recipients of Federal Transit Administration grants and transfer funds in accordance with the provisions of 49 USC 5307, 49 USC 5310, 49 USC 5311, 49 USC 5316, and 49 USC 5317.
7. Submit annual certifications to the Federal Transit Administration regarding intercity bus service needs in accordance with the provisions of 49 USC 5311(f).

This executive order rescinds Executive Order Number Fifty-seven (1999), Authority and Responsibility under the Federal Transportation Equity Act for the 21st Century, issued by Governor James Gilmore on October 1, 1999.

This Executive Order shall be effective upon its signing and shall remain in full force and effect until amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 1<sup>st</sup> day of July 2008.

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Timothy M. Kaine, Governor

Attest:

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Secretary of the Commonwealth